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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,571	12/19/2000	Kathryn L. Parker	MS #155647.1/40062.88-US-	5903
7590 04/19/2007 Homer L. Knearl Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903				
EXAMINER PATEL, HARESH N				
ART UNIT		PAPER NUMBER		
2154				
MAIL DATE		DELIVERY MODE		
04/19/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

ED

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/741,571	PARKER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Haresh Patel	2154	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Haresh Patel. (3) \_\_\_\_\_  
 (2) Miss Elizabeth J. Regan. (4) \_\_\_\_\_

Date of Interview: 09 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 6-27.

Identification of prior art discussed: Treyz.

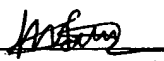
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant called the examiner to discuss 35 U.S.C. 101, 112 and 103 rejections. Both the applicant and the examiner went over the proposed claims. The examiner pointed out the claims need further changes to overcome the 35 U.S.C. 101 and 112 rejections. The applicant mentioned that a response would be filed with changes to the proposed claims for examination. No agreement was reached at this time.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

PTOL-413A (09-06)  
Approved for use through 03/31/2007, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 09/741,571 First Named Applicant: Kathryn L. Parker  
Examiner: Patel, Hareesh N. Art Unit: 2154 Status of Application: Pending

#### Tentative Participants:

(1) Examiner Patel (2) Elizabeth J. Reagan  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: April 9, 2007 Proposed Time: 3:00 (AM/PM)

#### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Obj.</u>	<u>Figs.</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>Claims 6-18, 26-27</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

#### Brief Description of Arguments to be Presented:

Please see attached draft claim amendments to be discussed as well as the attached agenda for telephonic  
interview.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Elizabeth J. Reagan  
Applicant/Applicant's Representative Signature

[Signature]  
Examiner/SPE Signature

Elizabeth J. Reagan  
Typed/Printed Name of Applicant or Representative

57,528  
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Agenda for Telephonic Interview: April 9, 2007Appl. No. 09/741,571MS 155647.1 (M&G 40062.88US01)

1. Invention in general.
2. How the present invention is novel and different from the prior art.
3. Discussion of the Office Action, dated January 8, 2007, including:
  - a. Objections to Drawings
  - b. Claim Rejections -- 35 U.S.C. § 101
  - c. Claim Rejections -- 35 U.S.C. § 112: Enablement
  - d. Claim Rejections -- 35 U.S.C. § 112: Indefinite
4. Discussion of the Claim Rejections under 35 U.S.C. § 103, including U.S. Patent No. 6,587,835 to Treyz et al.; U.S. Patent No. 6,850,901 to Hunter et al.; and U.S. Patent No. 6,782,253 to Shteyn et al.
5. Discussion of the proposed claim amendments.

Appl. No. 09/741,571; Docket No. 40062.88US01

Attendees: Patel, Haresh N.

Reagan, Elizabeth J., on behalf of Applicant

-- DRAFT - NOT FOR OFFICIAL ENTRY --

S/N 09/741,571

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathryn L. Parker et al. Examiner: Patel, Haresh N.  
Serial No.: 09/741,571 Group Art Unit: 2154  
Filed: December 19, 2000 Docket No.: MS155647.1/40062.88US01  
Title: SYSTEM AND METHOD FOR OPTIMIZING USER NOTIFICATION FOR  
SMALL COMPUTER DEVICES

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DRAFT AMENDMENT AND RESPONSE  
(For Discussion Purposes Only)

Listing of Claims:

1-5. (Cancelled)

6. (Currently Amended) A computer ~~program product~~ readable medium, having at least one tangible medium, executable by a computer and encoding instructions for executing a computer process for notifying a user of a small computer device of notification events, the process comprising:

- storing one or more notification profiles for each of one or more users, wherein each notification profile is associated with a predetermined notification mode and wherein within each notification profile are notification events and wherein each of the notification events is associated with at least one notification type;
- receiving a selection signal to select one notification mode; [[and]]
- applying the selected notification mode to the small computer device and wherein the device remains in the selected notification mode until another notification mode is selected; and
- ~~wherein notifying the user is notified~~ of events in accordance with the notification profile associated with the selected notification mode.

7. (Currently Amended) The computer readable medium ~~program product~~ as defined in claim 6 wherein the process further comprises:

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~~receiving an indication to select a notification mode;~~  
displaying a notification mode menu; and  
wherein the received selection signal relates to a selection from the  
displayed notification mode menu.

8. (Currently Amended) The computer ~~readable medium-program-product~~ as defined in claim 6 wherein the computer device further comprises a calendar-type application program storing reminder events and wherein the selection signal for selecting one notification mode is generated by the calendar-type application program.

9. (Currently Amended) A computer system for notifying a user of notification events, the system comprising:

a memory unit storing a plurality of notification profiles for each of one or more users, wherein each notification profile is associated with a predetermined notification mode and wherein within each notification profile are notification events and wherein each of the notification events is associated with at least one notification type;

a first output device notifying the user of a notification event using a first notification type;

a second output device notifying the user of the notification event using a second notification type wherein the second notification type is different from the first notification type; and

a processing unit in response to a profile selected from the plurality of profiles in the memory unit and in response to a notification event, automatically determining whether to notify the user using the first notification type or the second notification type; and

the processing unit prompting the first or second output device to notify the user.

10. (Currently Amended) The computer system as defined in claim 9 wherein the notification event is ~~the~~ a reception of email over a wireless network.

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11. (Previously Presented) The computer system as defined in claim 9 wherein the notification event is a calendar event stored by a calendar-type application program.
12. (Previously Presented) The computer system as defined in claim 9 wherein the first notification type is an audible signal and the second notification type is a visual display.
13. (Previously Presented) The computer system as defined in claim 9 wherein the first notification type is a vibration signal and the second notification type is an audible signal.
14. (Previously Presented) The computer system as defined in claim 9 wherein the two or more stored profiles include one or more assignments of a particular sound file to a particular event.
15. (Previously Presented) The computer system as defined in claim 9 wherein each profile comprises an event notification type based on a user's present environment.
16. (Previously Presented) The computer system as defined in claim 9 wherein a user is capable of being notified of an event in a plurality of ways, depending on a currently selected profile.
17. (Previously Presented) The computer system as defined in claim 16 wherein each user has a plurality of profiles.
18. (Previously Presented) The computer system as defined in claim 17, wherein each of the plurality of profiles contains a plurality of notifications events and associated notification types.
19. (Previously Withdrawn) A method of providing a notification on a small computer device to notify a user of an event, wherein the small computer device includes

**-- DRAFT - NOT FOR OFFICIAL ENTRY --**

a memory, and wherein the event includes at least one of a phone call, an email message and a meeting reminder, the method comprising:

assigning a first set of notifications for each event to a first profile for the user, wherein at least one notification within the first set comprises a volume level of a sound played by the small computer device in response to detection of an event;

assigning a second set of notifications for each event to a second profile for the user;

storing the first and second profiles within the memory of the small computer device; and

switching from the first profile to the second profile in response to a change in an environment of the user.

20. (Previously Withdrawn) The method as defined in claim 19 wherein the step of switching from the first profile to the second profile further comprises:

manually receiving an indication from the user to switch from the first profile to the second profile.

21. (Previously Withdrawn) The method as defined in claim 20 wherein the step of manually receiving an indication from the user to switch from the first profile to the second profile includes:

receiving an indication from the user to change profiles;

displaying a mode menu; and

receiving a selection by the user of one of the profiles displayed in the mode menu.

22. (Previously Withdrawn) The method as defined in claim 19 wherein the small computer device includes an internal clock and a calendar-type application having calendar events stored in the memory, and wherein the step of switching from the first profile to the second profile further comprises:

automatically switching from the first profile to the second profile at a start time for a predetermined calendar event.

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23. (Previously Withdrawn) The method as defined in claim 22 further comprising:  
automatically switching from the second profile back to the first profile at  
an end time for the predetermined calendar event.
24. (Previously Withdrawn) The method as defined in claim 22 further comprising:  
assigning different profiles for different categories of calendar events.
25. (Previously Withdrawn) The method as defined in claim 24 wherein the second  
profile is assigned to a "meeting" category of calendar events, and wherein the second  
profile mutes or reduces a volume level of the small computer device in relation to the  
volume level assigned to the first profile.
26. (Currently Amended) The computer ~~program-product~~ readable medium, having at  
least one tangible medium, executable by a computer and encoding instructions for  
executing a computer process as defined in claim 6 wherein the computer process for  
notifying a user of a small computer device of notification events further comprises:  
selecting a particular notification mode to modify a notification profile for  
that mode; and  
storing the modified profile.
27. (Currently Amended) A computer ~~program-product~~ readable medium, having at  
least one tangible medium, executable by a computer and encoding instructions for  
executing a computer process as defined in claim 6 wherein the computer process for  
notifying a user of a small computer device of notification events further comprises:  
associating a plurality of volume levels with different notification types  
associated with notification events within a notification profile; and  
selecting volume levels for different notification types associated with  
notification events within a notification profile.